

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DePuy Mitek, Inc.)
a Massachusetts Corporation)
Plaintiff,)
v.) Civil Action No. 04-12457 PBS
Arthrex, Inc.)
a Delaware Corporation, *et al.*)
Defendants.)

STIPULATION OF DEFENDANT PEARSALLS, LTD.

If Arthrex, Inc. is found to be liable for direct infringement of a valid claim of the '446 patent, Pearsalls, Ltd. stipulates that it is liable for contributory infringement.

Dated: August 9, 2007

Respectfully submitted,

By: /s/Charles W. Saber
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing STIPULATION OF DEFENDANT PEARSALLS, LTD. was served, via the Court's email notification system on the following counsel for Plaintiff on the 9th day of August 2007:

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